

1895-009 Chancery Causes: M. L. Slump vs. M. B. Fleenor &c
Lee Co.

Ely

CA-Debt
T-Property

To the Honorable, William T. Miller, Judge of the Circuit Court of Lee County:

Humbly complaining, your orator, M.L. Slemp, a citizen of Lee County, Virginia, would respectfully represent unto your Honor that heretofore the Pennington's Gap Improvement Company, a corporation, doing business in this State sold and conveyed to one Lizzie P. Orr a certain lot or parcel of land lying and being in the town of Pennington Gap, Lee County, Virginia, known in in the plat and plan of said town, which is of record in the County Court Clerk's office of Lee County, Virginia, as lot Number four in block number, eighteen; that the said Mrs. Orr sold and conveyed the same to one Madison Simms; that the said Madison Sims afterward, to-wit, on the _____ day of _____ 189____ sold and conveyed the same lot for the sum of \$_____ to your orator, which sum of money has been entirely paid to the said Simms; that afterward, to-wit, on the _____ day of _____, 189____, your orator sold and in consideration of the sum of _____ dollars, sold a part of said lot, that part of the same lies on the western side of the branch that runs down from ~~at~~ A. J. Jackson's spring to one W. B. Fleenor; that the said Fleenor has paid all but the sum of \$ 38.00 ^{which sum is evidenced by his notes which are here filed as exhibits "A & B"; that your orator made and delivered to the said Fleenor a deed to that part of said lot so sold to him, but he reserved therein his vendors lien on the same until the entire purchase money was fully paid; that said deed so made to the said Fleenor has not been recorded, so that your orator is unable to file a copy of the same herewith; that some time after your orator so sold the said part of said lot to him, the said Fleenor, he sold and conveyed the same to one Jas. R. Ely; that the said Ely fully paid him therefor; that soon after the said Ely bought the same from the said Fleenor, he sold and conveyed the same one Miss Alice Ely, but whether she has fully paid for the same, your orator is not advised, but he is advised that the said James R. Ely made her a deed and did not reserve a vendors lien on the same for any thing. Now the said sum of money being due to your orator on said part of said lot, and he having a vendors lien on the same, your orator is advised that he is entitled to have his lien enforced on the said lot, and therefore prays that your honor take cognizance of his said cause of complaint; that the said W. B. Fleenor and said Alice Ely be made parties defendants to this, his bill of complaint, that they be required to answer the same on oath, that at a final hearing of this cause said lot be directed to be sold, (it so situated that it can not be sold in parcels, or}

be divided) to satisfy the said lien of your orator, and the costs of this suit, and the residue if any, be paid to whosoever may be entitled to it; There are no other liens on the said lot, other than the one of your orator. And may all other and general relief be granted to your orator, as the nature of his cause may require, and good conscience may require. And your orator will ever obey &c. May process issue &c.

Thompson Bros. P.O.

Pliffs Costs
 C 5.65-
 Tax 1.50
 S 1.00
 atty 5.00
 Estimated 5.00
 \$18.15-

M. L. Slump

vs Rice

M. B. Fleenor

- 1895- 1st Feb'y Rules bill filed
 Spa & entered as to M. B.
 Fleenor. and D. N. as to
 him. & Cont'd as to Miss
 Alice Ely
 " 2nd Feb'y Rules & Conf
 as to M. B. Fleenor. and
 alias Spa & on Miss Alice
 Ely & D. N. as to her
 " 1st March Rules taken
 " the last Monday in Feb'y
 & N confirmed as to
 Miss Alice Ely and the
 Cause set for hearing.
 " March Term Decree & Cont'd

M.L.Slemp, Complainants

vs. In Chancery

M.B.Flenor, et als Defendants

This cause came on again this day to be heard upon the Papers read therein formerly and the report of Special Commissioner, R.L. Pennington, appointed herein on yesterday to execute a deed in the above styled cause, and was argued by counsel. Upon consideration of all which, and the said report of the said Pennington being unexcepted to, it is hereby confirmed, and it is adjudged ordered and decreed that the said deed made by the said Pennington to the said Slemp, be and the same is hereby confirmed. And the ~~said~~ clerk of this court is hereby directed to deliver the said deed of the said Pennington to the said Slemp upon his paying the said Clerk the sum of Five Dollars for the said Commissioner Pennington for his services. And there being nothing further to be done in the said cause the ~~same~~ same is ~~xxxxxx~~ stricken from the docket.

M. L. Slump.

vs. ^{W. J.} Deane Jones

M. B. Flemer.

O. B. P. 288

Under this
Nov. 14, 1892 -
M. L. M.

said is wanting stricken from the record.

And there being nothing further to be done in the said cause the sum of five dollars for the said Complaint for Pennington for his services of this court is hereby directed to deliver the said deed of the said Slump, he and the same is hereby confirmed. And the said clerk decreed that the said deed made by the said Pennington to the said unexcepted to, it is hereby confirmed, and it is adjudged ordered and action of all which, and the said report of the said Pennington being in the above styled cause, and was signed on counsel. Upon consideration of the said Pennington, appointed herein on yesterday to execute a deed

There read therein formerly and heretofore of the said Complaint

vs. Deane Jones, et al. Defendants

in Chancery

M. L. Slump, Complaintants

M. C. Slump Campbell.

vs.

M. B. Fleener et al Defts

In Chancery

This cause came on again this day to be heard upon the papers formerly read therein and the report of sale of Camr. E. W. Pennington filed herein on the 22nd day of October, 1893. On consideration of all which (and said report being unexcepted to) and for reasons appearing to the Court, it is adjudged, ordered and decreed that said report and sale to M. C. Slump be and is hereby confirmed; and it further appearing to the Court from said report that the ~~and Slump~~ money for which the land sold is going to said Slump, and there being no necessity of collecting the money from him to be again repaid to him, it is further adjudged, ordered and decreed that R. L. Pennington who is hereby appointed a Special Commissioner for the purpose will make to said Slump a deed to said land with covenants of Special Warranty and report

his action to a future day of this
term of the Court. And said
Court. E. H. Pennington is hereby di-
rected to pay out the \$20.90 to those
entitled thereto. And until the
coming in of said R. L. Pennington's
report this cause is continued.

M. L. Slump

vs. Dean

M. B. Pennington

Q. B. C. 282

Enter this 1895.
Nov. 13

W. L. M.

M. L. Slomp, Complainant, ()
vs.) In Chancery.

M. B. Flenor, et al. (

This cause came on to be heard upon the bill of the complainants, and exhibits filed therewith and was argued by counsel; upon consideration of all which and it appearing to the court that the defendants have been served with process for more than ~~15~~ ¹⁵ days prior to the first day of the term of this court, and they not appearing to answer or plead, the bill of the complainants as to the said defendants is taken for confessed; it is therefore adjudged ordered and decreed that ~~xx~~ the said Complainant recover of the said Defendant, M. B. Flenor the sum of \$58.00 with interest on \$50.00 from the 15th day of Sept. 1893, and on \$8.00 with interest from the 30th day of Sept. 1893, and the cost of this suit, and it further appearing to the court that the said Complainant has a vendor's lien upon the lot of land mentioned in the complainant's bill, it is further adjudged ordered and decreed that unless the the said defendant Flenor, or some one for him pay the said sum *within 30 days after the rising of this court* of money above mentioned, and the cost of this suit, that E. W. Pennington who is hereby appointed a special Commissioner for the purpose, after advertising the time terms and place of sale at the front door of the Court House and at the Post office in the town of Pennington Gap for at least thirty days, shall upon some Court day at the front door of the Court house sell the said lot of land at public outcry to the highest bidder on terms, enough cash to pay the cost and commissions in this suit, the remainder on six months time, the purchaser executing his bonds with good security. *But before executing this decree the said Pennington shall execute bonds before* And the said Pennington shall report his action to court and this cause is continued.

** The clerk of this court in the sum of \$100.00 could be used to faithfully discharge the duties of the said office.*

case is continued.

M.L. Slomp, Comp.
vs. (Decree.
M.B. Flenor, et al.

O.B. Page 136

After this

March 3, 1893

W. J. M.

It further appearing to the court that the said complaint was
not from the said day of Sept. 1892, and the cost of this said, and
on \$100.00 from the 10th day of Sept. 1893, and on \$100.00 with interest
of the said defendant M.B. Flenor the sum of \$100.00 with interest
adjusted and decreed that the said complaint recover
as to the said defendant is taken for confessed, it is therefore
not appearing in answer or filing, the bill of the complaint
and costs taken to the 10th day of the term of this court, and that
that the defendant have been served with process for above said
religion consideration of all which and is appearing to the court
complaints, and exhibits filed therewith and was signed by court.
This case came on to be heard upon the bill of the

M.B. Flenor, et al.

M.L. Slomp, Complainant,

vs.

Defendant.

To The Hon.Wm.T.Miller,Judge of the Circuit Court for Lee Co.
Your undersigned Special Commissioner,who was on this
day appointed in the chancery cause of M.L.Slemp vs M.B.Flenor
to make a deed to M.L.Slemp of the land sold under a decree in the
said cause,in which the said Slemp became the purchaser,begs leave
to report that he has this day executed the said deed,and here file
the same with this report. All of which is respectfully submitted.

Robert L. Beatty Spe.Com.

M.B.Flenor et al
vs.
M.L.Slemp
Special Commissioner
Circuit Court

M.L.SLemp, Com.,
Report of Commis'r
vs. D.R.L. Pennington
M.B.Flenor et al

*Filed Nov 14th
1898
A.B. Murray Clerk*

the same with this report. All of which is respectfully submitted.
to report that he has this day executed the said deed, and here file
said census, in which the said Slemp became the purchaser, and leave
to make a deed to M.L. Slemp of the land sold under a decree in the
very appointed in the chancery cause of M.L. Slemp vs M.B. Flenor
Your undersigned Special Commissioner, who was on this
To The Hon. W.T. Miller, Judge of the Circuit Court for Lee Co.

Done, Com.

M.L. Slemp,
vs. In Chancery.
M.B. Flenor, et al.

To the Hon. Wm. T. Miller Judge of the Circuit Court for
Lee County:

The undersigned, who was at the March term of your honor's
court appointed a special commissiner in said cause to sell
the house and lot mentioned in said cause, begs leave to re-
port that after advertising the time, terms and place of sale
for thirty days at the front door of the court house of Lee
County and at the Poast Office in the town of Pennington Gap
Va., on Oct the ^{21st} ~~10th~~, 1895 that being a court day at the front
the court house of Lee County in the presence of a large crowd
of people, he offered said house and lot for sale at public
outcry on the terms mentioned in the said decree, and after
crying the said sale for some time the said house and lot was
knocked off to M.L. Slemp, the plaintiff in this cause, for the su-
sum of \$58.40. the amount of said plaintiff's debt and cost of
suit, and he being the best and highest bidder. Said Slemp
paid to your commissioner the sum of \$20.90, the costs and com-
missions in said suit. Your Commissioner did not take any bond
or note from the said Slemp as the debt for which the said
house and lot were sold was going to him. Your Commissioner
advises a confirmation of this sale to the said Slemp and
that the commissioner be appointed to make him a deed to the same.
All of which are respectfully submitted.

W. M. Pennington Sp. Com'r

W. C. Slump
vs } Report of
Sale

M. B. Filmon et al
Filed October the 22nd 1895.
A. B. Muncy Clk

All of which are respectfully submitted.

W. C. Slump

Nov-28

SALE OF LAND.

Sept 10/19/95 \$312.72
Costs 52.15
Comm- 16.28

\$381.15
255.00
\$126.15

Virginia, Lee County Circuit Court:

Seas Griffin et al

Plaintiff

vs
Jones Machinery Co

Defendant

Pursuant to a decree rendered in this court at the June term, 1895, the undersigned commissioner will proceed to sell at the front door of the court house of said county, on the first day of the October term, 1895, of the County Court of said county, to the highest bidder on a credit of 9 & 18 months

time the 105 acre tract of land known as the Ezekiel Crawford Land, and is situated near Thurburn Gap, or enough thereof to pay \$381.15.

See Deed Book

page for a more particular description, except so much as may be necessary to pay the cost of suit and expense of sale will be required to be paid in hand, and for the remainder, bonds and good security will be required of purchaser.

E. H. Remington

Commissioner.

The bond required by law has been given. Clerk.

William Jones

1895
 1884

from the ...
 ...

24th ...

1895
 1884

\$8⁰⁰ One day - after date I promise
to pay M L Lump Eight dollars
with legal int from date, for a part
of the purchase price of a lot. and as
to the payment of which I hereby waive
the benefit of the Homestead law. Given
under my hand this the 30th day of sept 1896
M. B. Lunn.

Milt Stinson
note

\$800 due

one day

paid by Cash

Oct-5 \$14.95-

on the within

note Two dollars

\$200 Feb 24 1894

-50.1
-55.5
20.8

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

M. B. Fleenor and Miss Alice Ely

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *1st* Monday in *February*, 189*5*, to answer a bill in Chancery,

exhibited against *them* in our said court by *M. L. Slump.*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

23rd day of *January*, 189*5*, and in the 11 *9th* year of the

Commonwealth.

A. B. Munsey Clerk.

M. L. Slump

vs. { SUPRENA
IN CHANCERY.

M. B. Fleenor et al

Pennington Bro p. q.

To 1st February Rules,
Circuit Court.

Executed Jan the 27. 1885 - by delivering an office copy of the within
summons to the wife of M. B. Fleenor at the dwelling home of M. B. Fleenor
and explaining to her its purport and being a member of the
family of M. B. Fleenor and over the age of sixteen years old the
said M. B. Fleenor being absent from his usual place of
abode this Jan the 28. 1885

A. C. Flanagan. J. L. S.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

MB Fleenor and Miss Alice Elz

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *1st* Monday in *February*, 189*5*, to answer a bill in Chancery,

exhibited against *them* in our said court by *M L Slump*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

23rd day of *January*, 189*5*, and in the *119th* year of the

Commonwealth.

A B Munsey Clerk.

A Copy
Teste A B Munsey Clerk

vs. { SUPCENA
IN CHANCERY.

p. q.

To Rules,
Circuit Court.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

M B Fleenor and Miss Alice Ely

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *1st* Monday in *February*, 189*5*, to answer a bill in Chancery,
exhibited against *them* in our said court by *M L Slump*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

23rd day of *January*, 189*5*, and in the 11 *9th* year of the
Commonwealth. *A B Munsey* Clerk.

M L Slump

vs. { SUPRENA
IN CHANCERY.

M B Fleenor et al

Pennington Bros p. q.

To *1st February* Rules,
Circuit Court.

Not Executed.
this Feb 4 - 1895.
J. M. Weston, 10 S.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

again
WE COMMAND YOU, That you summon

*M. B. Fleenor and Miss
Alice Ely*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *3rd* Monday in *February*, 189*8*, to answer a bill in Chancery,

exhibited against

them

in our said court by

M. L. Sleep

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

12th

day of

February

189*8*, and in the 11

9th

year of the

Commonwealth.

A. B. Munsey

Clerk.

M L Slomp

vs.

{ SUPCENA
IN CHANCERY.

M B Fleener et al

Pennington Bros. p. q.

To 2nd Feby Rules,
Circuit Court.

^{in fact}
Executed by
delivering an office
Copy of within
summons to
Miss Alice Ely. this
Feb 16 - 1895.

J. M. Weston W.S.
for C. E. Flanary
S. L. C.

Pliffs Costs 5.65
 Lay 1.50
 Shff 1.00
 atty 5.00
 Estimated 283
 8.15-
 5.00

M. L. Slump
 vs. Bill

M. B. Flunor et al

Credit 4/15/95 \$25.00
 " 4/15-95 100
 by

1895-200 Fely Rules bill
 filed Spd & d Decree
 nisi
 " 1st March Rules taken the
 last Monday in Fely
 Decree nisi Confirmed
 & Cause set for hearing

Balances to be paid
 in 90 days from 4/15/95

Poor Term 1895 Decree
 final Chy Ord Bk 5
 Page 282.